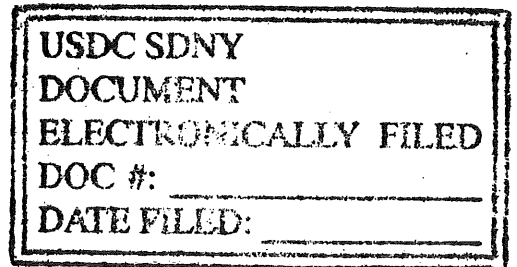


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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:
Jonathan Berall, M.D., :
:
Plaintiff, :
:
-v.- :
:
Verathon Inc., et al., :
:
Defendants. :
:
-----X

10 Civ. 5777 (LAP)

Amended Mediation
Referral Order

LORETTA A. PRESKA, Senior United States District Judge:

On November 4, 2019, this Court docketed an Order referring this case to mediation [dkt. no. 139]. That Order is amended in full as follows:

IT IS HEREBY ORDERED that this case is referred for mediation to the Court-annexed Mediation Program. The parties are notified that Local Rule 83.9 shall govern the mediation and are directed to participate in the mediation in good faith. The mediation will have no effect upon any scheduling Order issued by this Court without leave of this Court.

IT IS FURTHER ORDERED that the Clerk of Court shall locate pro bono counsel to represent the plaintiff at the mediation. The time to assign a mediator shall be deferred until pro bono counsel has filed a Notice of Limited Appearance of Pro Bono Counsel. Pro bono counsel will represent plaintiff solely for

purposes of the mediation, and that representation will terminate when the mediation concludes.

IT IS FURTHER ORDERED that any objection by the plaintiff to either the mediation or to the appointment of pro bono counsel to represent the plaintiff in the mediation must be filed within 14 days of this Order. In the event the plaintiff files such an objection, the referral to mediation is vacated, and this case will not proceed to mediation.

The Clerk of the Court shall mail a copy of this Order to plaintiff.

SO ORDERED.

Dated: New York, New York
November 13, 2019



Loretta A. Preska
Senior U.S. District Judge